

subsection for each year that appropriations are available.

(c) **FEASIBILITY STUDY AWARDS.**—

(1) **IN GENERAL.**—The Administrator may make awards for feasibility studies, planning, and operations to support the launch of new Cluster Initiatives.

(2) **AMOUNT.**—The total amount of awards made under paragraph (1) shall not exceed \$250,000.

(3) **ELIGIBLE RECIPIENTS.**—The Administrator may make awards under paragraph (1) to—

- (A) a State;
- (B) an Indian Tribe, an Alaska Native Corporation, or a Native Hawaiian Organization;
- (C) a city or other political subdivision of a State;

(D) a nonprofit organization, including an institution of higher education or a venture development organization; or

(E) a consortium consisting of entities described in subparagraphs (A) through (D).

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$50,000,000 for fiscal year 2022 and each subsequent fiscal year to carry out this section.

SA 1991. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division C, add the following:

SEC. 3314. INVESTIGATIONS OF ALLEGATIONS OF GOODS PRODUCED BY FORCED LABOR.

Section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) is amended—

(1) by striking “All” and inserting the following:

“(a) **IN GENERAL.**—All”;

(2) by striking “‘Forced labor’, as herein used, shall mean” and inserting the following:

“(c) **FORCED LABOR DEFINED.**—In this section, the term ‘forced labor’ means”;

(3) by inserting after subsection (a), as designated by paragraph (1), the following:

“(b) **FORCED LABOR DIVISION.**—

“(1) **IN GENERAL.**—There is established in the Office of Trade of U.S. Customs and Border Protection a Forced Labor Division, which shall—

“(A) receive and investigate allegations of goods, wares, articles, or merchandise mined, produced, or manufactured using forced labor; and

“(B) coordinate with other agencies to enforce the prohibition under subsection (a).

“(2) **PRIORITIZATION OF INVESTIGATIONS.**—In prioritizing investigations under paragraph (1)(A), the Forced Labor Division shall—

“(A) consult closely with the Bureau of International Labor Affairs of the Department of Labor and the Office to Monitor and Combat Trafficking in Persons of the Department of State; and

“(B) take into account—

“(i) the complicity of—

“(I) the government of the foreign country in which the instance of forced labor is alleged to have occurred; and

“(II) the government of any other country that has facilitated the use of forced labor in the country described in subclause (I);

“(ii) the ranking of the governments described in clause (i) in the most recent report on trafficking in persons required by section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1));

“(iii) whether the good involved in the alleged instance of forced labor is included in the most recent list of goods produced by child labor or forced labor required by section 105(b)(1)(2)(C) of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. 7112(b)(2)(C)); and

“(iv) the effect taking action with respect to the alleged instance of forced labor would have in eradicating forced labor from the supply chain of the United States.

“(3) **QUARTERLY BRIEFINGS REQUIRED.**—Not less frequently than every 90 days, the Forced Labor Division shall provide briefings to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives regarding—

“(A) allegations received under paragraph (1);

“(B) the prioritization of investigations of such allegations under paragraph (2); and

“(C) progress made toward—

“(i) issuing withhold release orders for goods, wares, articles, or merchandise mined, produced, or manufactured using forced labor; and

“(ii) making findings in and closing investigations conducted under paragraph (1).”.

SA 1992. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

SEC. 6302. CENSORSHIP AS A TRADE BARRIER.

(a) **IN GENERAL.**—Chapter 8 of title I of the Trade Act of 1974 (19 U.S.C. 2241 et seq.) is amended by adding at the end the following:

“SEC. 183. IDENTIFICATION OF COUNTRIES THAT DISRUPT DIGITAL TRADE.

“(a) **IN GENERAL.**—Not later than 60 days after the date on which the National Trade Estimate is submitted under section 181(b), the United States Trade Representative (in this section referred to as the ‘Trade Representative’) shall identify, in accordance with subsection (b), foreign countries that are trading partners of the United States that engage in acts, policies, or practices that disrupt digital trade activities, including—

“(1) coerced censorship in their own markets or extraterritorially; and

“(2) other eCommerce or digital practices with the goal, or substantial effect, of promoting censorship or extrajudicial data access that disadvantages United States persons.

“(b) **REQUIREMENTS FOR IDENTIFICATIONS.**—In identifying countries under subsection (a), the Trade Representative shall identify only foreign countries that—

“(1) disrupt digital trade in a discriminatory or trade distorting manner with the goal, or substantial effect, of promoting censorship or extrajudicial data access;

“(2) deny fair and equitable market access to digital service providers that are United

States persons with the goal, or substantial effect, of promoting censorship or extrajudicial data access; or

“(3) engage in coerced censorship or extrajudicial data access so as to harm the integrity of services or products provided by United States persons in the market of that country, the United States market, or other markets.

“(C) DESIGNATION OF PRIORITY FOREIGN COUNTRIES.—

“(1) **IN GENERAL.**—The Trade Representative shall designate as priority foreign countries the foreign countries identified under subsection (a) that—

“(A) engage in the most onerous or egregious acts, policies, or practices that have the greatest impact on the United States; and

“(B) are not negotiating or otherwise making progress to end those acts, policies, or practices.

“(2) REVOCATIONS AND ADDITIONAL IDENTIFICATIONS.—

“(A) **IN GENERAL.**—The Trade Representative may at any time, if information available to the Trade Representative indicates that such action is appropriate—

“(i) revoke the identification of any foreign country as a priority foreign country under paragraph (1); or

“(ii) identify any foreign country as a priority foreign country under that paragraph.

“(B) **REPORT ON REASONS FOR REVOCATION.**—The Trade Representative shall include in the semiannual report submitted to Congress under section 309(3) a detailed explanation of the reasons for the revocation under subparagraph (A) of the identification of any foreign country as a priority foreign country under paragraph (1) during the period covered by the report.

“(d) **REFERRAL TO ATTORNEY GENERAL OR INVESTIGATION.**—If the Trade Representative identifies an instance in which a foreign country designated as a priority foreign country under subsection (c) has successfully pressured an online service provider to inhibit free speech in the United States, the Trade Representative shall—

“(1) submit to Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report detailing the precise circumstances of the instance, including the actions taken by the foreign country and the online service provider;

“(2) if the online service provider is under the jurisdiction of the United States, refer the instance to the Attorney General; and

“(3) if appropriate, initiate an investigation under section 302 and impose a remedy under section 301(c).

“(e) **PUBLICATION.**—The Trade Representative shall publish in the Federal Register a list of foreign countries identified under subsection (a) and foreign countries designated as priority foreign countries under subsection (c) and shall make such revisions to the list as may be required by reason of action under subsection (c)(2).

“(f) **ANNUAL REPORT.**—Not later than 30 days after the date on which the Trade Representative submits the National Trade Estimate under section 181(b), the Trade Representative shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on actions taken under this section during the one-year period preceding that report, and the reasons for those actions, including—

“(1) a list of any foreign countries identified under subsection (a); and

“(2) a description of progress made in decreasing disruptions to digital trade.”.

(b) **INVESTIGATIONS UNDER TITLE III OF THE TRADE ACT OF 1974.**—Section 302(b)(2) of the